1: Longrigg G-4, 5 (ca. 1915-1940) MH1 Iraq MH1



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from a headquarters no longer distant, telegraph lines could be seen, postmen rode from town to town. A dozen new townships had been founded in the last decades of the century—Naṣiriya in the Muntafiq, 'Amara in the lower Tigris, Kut and Bughayla as river-steamer fuelling points, and new-built Khans with gendarme posts along the main routes. The control of the greater canal heads had become a Government function; more and more the local Governor became the invoked arbiter of tribal quarrels; and the Tapu land records with their registration of communal tribal lands as the private property of the Shaykhs had introduced a new and jarring relationship of landlord and tenant to mar that of chieftain and loyal follower.

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Other and less obvious elements were at work to modify the old tribal isolation. Increased awareness of the outside world came with the visits of grain-buying merchants' agents, since the steamship had made bulk export possible. The effects of shipping itself radiated inland from Baṣra and from the Tigris steamboats. European manufactured goods penetrated into every tribe; and the buyers, the effendis, the *Zaptié* and the city populace whom a tribesman might rarely visit, were themselves reflectors, in their kind and degree, of a faint light of Western innovation in the world of speech, ideas, and comparisons. Few of the foreign travellers of the 'nineties failed to comment on the social progress of the last quarter-century and on the greater penetration by Government of the outlying regions.

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The Dhafir in the south-western desert, astride the route into Najd, lived on bad terms with ibn Rashid and raided the Muṭayr and 'Aniza. The 'Aniza, greatest of nomadic groups of northern Arabia, held the Shamiya desert from Najf to Hit. Their chief, ibn Hadhdhal, titular Qa'imqaqam of Razaza, now courted and now imprisoned by the Turks, pursued his ancient feuds with the Shammar, and flouted the Government. The Dulaym were by 1900 largely settled and in part disciplined by the chain of police posts along the Aleppo road.

The Shammar had long passed their great days of formidable unity. Intermittently at war with an outstanding personality of the time, Ibrahim Pasha of the Milli Kurds—bandit, patriarch, general of Ḥamidiya, protégé of Sultan 'Abd al-Ḥamid—they were bitterly divided by factions among the sons of Farḥan Pasha, and could play off the authority of Mosul against Dayr al-Zur, loot the river traffic, withhold their taxes, and alternately court and reject the favours of Government.

On the lower Euphrates the power of the Sa'dun overlords over a complex of Shi'i tribes was in division and decline. For a generation two separate schools of leadership had appeared: the attempt

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of Naṣir Pasha and later of his son Falih to turn the tribesmen into docile tenants on the Sa'dun estates (which Ottoman land-registration policy had demarcated and bestowed under the feet of the age-long cultivators), and the attempt of Manṣur Pasha and later of his son, Sa'dun, to maintain all their old independence. Thus personal ambition and hatred joined with a clear issue of policy, with Government playing a rôle of vacillating opportunism. Year after year tribal war went on, with Turkish forces sometimes participating; civil government was almost wholly inoperative; yet settlement and tribe-breaking were all the time half-visibly proceeding. The day of a quiet tithe-paying Muntafiq peasantry was still distant; the fear of a united Muntafiq army was long past.

The middle-Euphrates tribes present for this period a confused picture of intricate local history. Typical of them are the Bani Ḥuchaym (Ḥukaym), the Shibil, Fatla, Khaza'il, Bani Ḥasan, and the tribes of 'Afak and Daghara, most of whom had been lately converted to Shi'ism and fell thereby under Mujtahid influence. Their records for the later nineteenth century show the increasing settlement of their shepherd sections, and the gradual introduction of rapacious yet feeble Turkish tax-gatherers. They show the endless bickering between tribes, accompanied by the bluster, looting, and unaimed rifle-fire which passes for tribal warfare; and the bitterer strife for the vacant headship of tribes, in which Mudir or Qa'immaqam would interfere when he could. In spite of the rare emergence of a unifying leader, the tendency was towards levelling, division, disunity. This was aided by the spread of the new land-registry system and by the purchase of whole estates by the Saniya Administration which could develop its lands without tribal agency. The shifting of the Euphrates waters from the eastern to the western channel (p. 32) had profound effects in displacing the tribes, led to clashes, secessions, and invasions, and added to the immediate authority of Government as the only possible controller of Euphrates waters.

On the lower Tigris the close of the century was stormy with civil war. With lesser marsh tribes and the new non-tribal townships, the dominant groups were those of the camel-owning, grain-growing Bani Lam and the rice-growing Albu Muḥammad. The prosperity of both tribes depended on the Government allotment of the *muqaṭa'as*,[1] whose periodical distribution led to bitter quarrelling. To the normal causes of tribal war was thus added a perpetual irritant, and to its normal practices that of preying on the Tigris river traffic. Armed attacks on this were a common

[1] The *muqaṭa'a* was (and is) a defined area (in some cases of great extent and productive value) of irrigable land, leased for a cash annual rent to a tribal shaykh; possession of a better *muqaṭa'a* was an object of the keenest rivalry.

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feature of 'Amara life, involving *Zaptié* escorts on the paddle-boats, protests to the Wali, telegrams to London by the Lynch managers, and punitive expeditions, often unsuccessful. Shaykh Bunaya was by wealth and guile paramount in the Bani Lam for twenty years, till his death in 1903. Power among the Albu Muḥammad lay, subject to endless rivalries, in the ruling house of Khalifa.

The central Tigris groups of the Rabi'a and Zubayd had outlived their days of united insurgence. They were fully settled since the mid-century, and the Zubayd had suffered the secession of large elements to the Ḥilla district. The growth of the steamer-fuelling townships—'Aziziya, Ṣuwayra, Bughayla, and Kut itself—had brought a measure of Government control and economic opportunity.

Across the Jabal Ḥamrin in the submontane region of Mosul wilaya, Government had at all times been relatively strong and the tribes—Bayat, Da'udiya, Diza'i—in general unaggressive if pettily lawless. In the higher foothills and the true mountain country of the southern and central Kurds, which included wide patches of non-tribal territory, dwelt under their hereditary Aghās such strong communities as the Zangana, Jabbari, Ṭalabani, Shaykh Bizayni, Girdi, Surchi, Khushnau, Piran, Pishdar, Baradost, and a score of lesser names. These, generally homogeneous in speech and habit, were well armed and mounted, proud of their traditions, not unprosperous, suspicious or scornful of Turkish pretension; and the authority of their Aghās far exceeded that of the unhappy Mudir or Qa'immaqam sent to govern them. Their lawless self-centred life was still that of a millennium of ungoverned valley lordship; Turkish claims were in great part unenforceable, and strife endemic; yet the penetration of more modern ways had been for fifty years insistent, and with many a local setback and humiliation continued to gain ground.

Turkish control, at its best in the accessible flatter lands, was at its feeblest, to vanishing point, in the mountains. The Hamawand of Bazyan district, most famous of robber tribes, had raided as far afield as Russian territory, terrorized the Kirkuk countryside, returned intact from distant banishment, and lived on varying terms with the venerated Barzinji Sayids. The Jaf, with settled sections in Persia and the Gul'anbar Plain, were still nomadic between the two countries. Under united leadership—that of Maḥmud Pasha over the nomads and his brother 'Uthman Pasha in Ḥalabja, which he and his emancipated Persian wife 'Adila Khanim had largely built and wholly controlled—they could defy Government, refuse taxation, uproot telegraph lines, and recall the ways of the ancient Dere Beys. Attitudes no more amenable prevailed in the frontier territory of the Pishdar, who since 1893, when

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a Turkish expedition first penetrated to their fastnesses, had been formed on paper into a qadhā of their own, with their Aghā irreplaceable as Qa'immaqam. The nomadic Harki passed annually across the Persian frontier, to the ruin of all settled folk in their path. Equally disastrous as neighbour or subject, and as ready to cross into Persia, was the oppressive restless Shaykh of Barzan, the religious prestige of whose family had attracted and settled a 'tribe' across the Zab from the Zibar country. Within the northern frontier of Mosul wilaya lay settled tribes, largely of the Ḥakkari group. They included the Shirwan, Mizuri, and Barwari groups. The folk of the tribeless 'Amadiya villages were reckoned also as of Ḥakkari stock.

## 6. RESOURCES AND COMMUNICATIONS

Many or most of the miseries of the 'Iraq of 1900 were due, it has been seen, to a single cause: the all-pervading poverty of the country and its Government. How then, in a territory famed of old for its wealth, were the modern 'Iraqis—and their Government—in fact gaining so poor a living?

The mineral resources of the wilayas were of the slightest. Building stone in the north, fullers' earth, some sulphur, salt, some low-grade 'coal' and gypsum: these were of some domestic use, but none provided wares for export. More significant were the seepages of mineral oil at many places in northern 'Iraq. At Hit on the Euphrates the bitumen outcrops had been worked since remote antiquity, and still gave material for the local industry of boat and coracle building. At Qaiyara and at Ṭuz Khurmatu the Saniya Administration owned outcrops of liquid petroleum, and exploited them by devices of comical primitiveness. At Kirkuk the seepages of Baba Gurgur belonged by ancient Firman to the Naftchi family. For those north of Mandali (which are those today exploited at Naftkhana), a refining plant had been erected at Ba'quba in 1871, but the project languished and failed. Applications by Europeans to exploit this and the Qaiyara oil were refused; but German experts had visited 'Iraq in 1871, and samples had been sent to London. The oil rights of the wilayas had been transferred, significantly, from the Finance Ministry to the Sultan's privy purse in 1889.

Local industry was insignificant and almost all unmechanized. There was some silk weaving at Baghdad and the smaller towns, some weaving of cotton and woollen cloths, rough mats and rugs. Jewellers' work was poor in quality, save for the curious antimony-on-silver "Amara work' of the Sabaeans. Finer work of Persian craftsmen in wood and ivory, and the kettles of the Baghdad coppersmiths, supplied local needs. Bright-coloured tiles were

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impassable mountain or swamp. The governing authority was foreign, unloved, and deadly poor. None but a minute fraction of the population was ready to welcome efficient government; the greatest part repudiated it as alien to their ways and interests. The 'Iraqis were and are of independent, individualistic character, unaccustomed to control. Faction in the towns and endless tribal warfare had been the rule for centuries. The deep division between town and tribe was itself a major obstacle to uniform administration; to it was added the gulf between the Sunni and Shi'i communities. Such was the territory which for four centuries the Ottoman Government, acclaimed almost universally by Western opinion as the world's worst, had been trying to administer.

The Government of 1900 of which we speak, and its approach to these problems, differed indeed essentially from that of three generations earlier. In the original form of Ottoman rule, which was pure Oriental despotism, all power was the Sultan's. He stood at the head of an elaborate hierarchy of stratified functionaries, and was represented by governors locally as autocratic as himself. Rule was for his sole benefit and grandeur; no law existed save the Shara', capriciously enforced; no limit or appeal restricted the local powers of Wali or Mutasallim. All posts were for sale, including those of the highest functionaries.

Changes in this régime had been forced upon the Ottoman dynasty early in the nineteenth century by its military defeats, which compelled it to invoke European military teachers. And while successive Sultans were led by this necessity to rebase the conception and machinery of Government with a new body of law and procedure and a new class of officials, other modernizing agencies were at work: those of trade and shipping, educational foundations, travellers, missions, modern communications, and a press. To this impact of the West urgency was imparted by the attitude of Turkey's European creditors and the reaction in Europe to the miseries of the Christian provinces successively detached from the Empire. Under such pressures was evolved the half-modern, pretentious, overburdened, needy Turkish Government of the nineteenth century. For seventy years before 1900 'Iraq had enjoyed the blessings of 'reformed' Government, had seen its Administration modified first on paper and then in fact, with every new meticulous Ordinance in Midḥat Pasha's revised wilaya system. With regulations to apply and functions specialized, a numerous and influential class had come into existence, the effendis. Neither landowners nor merchants nor divines, they were of a middle and secular class, complacently urban. 'Iraqi by race except in the highest posts, the effendis formed a great part of the social element receptive of Turkish culture, and acted as the

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Teheran with telegrams and memorials against the irreligion of the Shah, the new Persian Constitution, and the Russian penetration.

The non-Muslim minorities, economically a leading element in the towns though socially segregated and governmentally unimportant, retained their lead in their chosen occupations. To the shock of compulsory military service, first imposed in 1909, they reacted characteristically: the Jews, if they could not buy exemption, determined to succeed as soldiers and plunged into drill and military studies, while the Christians adopted every means of evading it by flight, bribes, and falsified registers. Their European contacts increased, and English was increasingly taught in their schools. The Alliance Israélite opened schools at Mosul and Hilla, Baṣra, Khaniqin, and 'Amara. The Archbishop's Assyrian mission, through Dr. W. A. Wigram, founded a school at Bibaydi near 'Amadiya. The Carmelite and Dominican missions, with their schools, dispensaries, and printing-presses, were active as ever among the Uniates, the Americans among all classes in southern 'Iraq, the C.M.S. among the Protestants of Baghdad and Mosul, while a German school was opened in 1909. Ill feeling between the Chaldaean and Assyrian communities—the former with jealous French assistance, the latter with hourly appeals for British support—exploded into angry controversy on the question of separate status and registration. Many Chaldaeans, it was said, would gladly have rejoined their old community under the Mar Sham'un if only foreign protection were forthcoming equal to that of the Papal Delegate. The first mention in 'Iraq of a young and then unmenacing movement, Zionism, created no alarm, though Zionist commissions twice arrived from Europe to report on immigration possibilities, and a Jewish pamphlet circulated in 1913 urged the bold policy of demanding Palestine itself.

Security in the towns was in normal times moderately maintained, and would always improve immediately under a strong Wali; the sound of shooting by night was familiar but usually meaningless. Detection of crime was pressed with neither skill nor determination. Anti-Christian or anti-Jewish crime or agitation, on a petty scale, was always ready to appear and little condemned. Most disturbances of the peace came, however, either from the desperation of the hungry, whom in times of near-famine (as at Mosul in 1913) the hoarding of food by merchants drove to burglary and murder, or from the presence in many cities of established gangs of criminals. In Baṣra an aggressive bodyguard was among the resources of Sayid Ṭalib; in Mosul and Sulaymaniya leading citizens—Muḥammad Sabunchi Pasha in the first, the Barzinji shaykhs in the second—were served at need by gangs of bravos; and in the country towns dominated by powerful tribesmen, the crimes of the shaykhs'

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personal followers were unpunishable. Three *causes célèbres* of the period should be mentioned. The first was the murder in Mosul of Shaykh Sa'id Barzinji of Sulaymaniya on the first day of 1909. It was an act of defiant violence against a figure of the greatest eminence; and the aftermath of the murder convulsed the Sanjaq of Sulaymaniya. The second case was the murder of Farid Beg, General and ex-Mutaṣarrif of the Muntafiq, in Baṣra bazaar in June 1913. The third was the murder of Aḥmad Bey, Commandant of Gendarmerie in Baghdad, in August 1913.

In the urban services there was fitful progress. New buildings of some pretension appeared towards South Gate in Baghdad, in the outskirts of Karbalā and Mosul, at the 'Ashar suburb of Baṣra. The Tigris-side towns, and some of the Kurdish, developed fast. Kirkuk and Arbil doubled in size from 1890 to 1914. Ḥalabja under its Jāf dynasty was further embellished. Military hospitals and a very few municipal dispensaries made their appearance. The Jewish hospital of Mir Elias was opened in 1910, a new building for the C.M.S. in Baghdad was completed in 1913, while their Mosul hospital shut and reopened seasonally. But medical arrangements in general remained primitive, quarantine was still largely a bribe-extracting farce, and no efforts were made seriously to combat disease or malnutrition. Street lighting improved, hotels appeared in the larger towns under Armenian or Chaldean enterprise, a cinema was opened in Baghdad in 1911.

Cross-river steam-ferries, public gardens, wider streets, a zoo, improved steel bridges, tramways, electric lighting—all these had their place in the plans of incoming Walis and Mutaṣarrifs, and in fact some success in municipal improvement—in streets, gardens, offices, and amenities—emerged from this period, though the schemes even of a Nadhim Pasha remained nine-tenths abortive. The Kufa–Najf tramway was completed during this period. A company was formed in London in 1912 by a leading Baghdadi, Maḥmud Shahbandar, for electric tramways and lighting.

In trade and commerce there was some advance. The staple exports of the territory still varied annually according to the harvest and the level of inland security. The quantities of dates, grain, seeds, gall-nuts, gums, animals and animal products, and the transit items from Persia showed slight increases. The tonnage and value of imports had been more than doubled since 1900. The increase reflected largely the needs of railway construction, partly the increased use of irrigation and other machinery and paraffin, partly a perceptibly rising standard of urban life with its greater demands for cotton cloth, sugar, tea, and matches. The moderate inroads of Russia and Germany into the 'Iraq markets are elsewhere mentioned. The great bulk of import and export trade was

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still divided between the British and the local Jewish firms. Of the former, those with offices at Basra in 1914 were Messrs. Lynch, Gray Mackenzie, Strick, and the Basra Trading Company, with the American firm of MacAndrew Forbes handling liquorice. At Baghdad British firms were Lynch, Blockey Cree, and Sassoon of Bombay. Attempts were twice made by an Englishman to found a tailoring business. The Imperial Ottoman Bank had branches at Baghdad and Basra under French or Anglo-French control; the Imperial Bank of Persia appeared, only to disappear again as being unwelcome (to its rivals) in Turkish territory; the Eastern Bank opened in Baghdad in 1912. The local currency remained stable, paper money still unknown, and exchanges predictable. Much damage to trade was done by Walis' unwise instructions in the direction of price control and of prohibition on the export of foodstuffs in the supposed interests of 'Iraqi consumers. Nothing stopped shameless hoarding by the rich in years of scarcity.

Outside the towns and placid suburban areas the picture of tribal near-anarchy painted by foreign travellers and residents in the 'Iraq of 1900 to 1914 is a painful one. But though it is true that standards of security were low, lawless episodes despairingly repeated, and Government forces never adequate, conditions had been much worse in the past. The many new townships and police posts, increasing traffic, wider cultivation, and (for better or worse) greater Government penetration showed substantial advance from the conditions of the previous century. It was in part misleading that quicker communication tended to ventilate throughout the country episodes formerly of mere local interest. Standards, too, with the Europeanization of Government and the increased foreign interests, had become more exacting: the activities of raiders or bandits were counted scandalous where, years ago, they had passed as normal and unremarked. The tribes were more subdivided and thus weakened; resistance to Government by a united tribe was ever rarer. The shaykhs increasingly became involved in town life and politics, and Government decreasingly willing to close its eyes to tribal disobedience; direct administration was the order of the day, and for every day and place in which tribal violence was reported there were long periods and wide spaces of calm.

The Shammar, torn by their own rivalries and at perpetual feud with the Milli and 'Aniza, presented until 1909 the complete picture of desert restlessness. Thereafter, the fall and death of Ibrahim Pasha Milli redressed the balance in Shammar favour; the Milli disappeared as a formidable unit, the northern 'Aniza alone disputed Shammar ascendancy. But their successful robberies did little to strengthen the tribe, whose official shaykh the Turks changed annually; and an outbreak of fighting with the

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confessions made by alleged participants, death sentences were passed on five of the accused, including Hikmat, and long terms of imprisonment on others, while some were acquitted. The commutation of the death sentence for one of imprisonment on four of the condemned was soon afterwards announced by Royal Irada; that of Hikmat Sulayman was mitigated only after persuasive pressure by the British Ambassador and by private British as well as 'Iraqi friends. There remained—and remain today—among persons well qualified to judge, many who, in spite of the confessions, believed and believe the whole plot to be fictitious and its 'discovery' designed merely to serve political or personal ends.

A part of the objects of the alleged conspiracy was after all to be achieved, and this by a tragic accident. The King, driving his car with habitual recklessness late in the night of 3 April, crashed into an electric-power standard near his palace, and died a few hours later of the severe fractures of the skull which he had sustained. The announcement of his death was made early on the 4th. The Council of Ministers, urgently convened, received the written testimony of Queen 'Aliya that Ghazi had wished to be succeeded, should the case ever arise during the infancy of his son, by a Regency of his first cousin, the Amir 'Abd al-Ilah, son of the late King 'Ali. A sufficient number of members of the dissolved Chamber were gathered to ratify this in accordance with the Constitution; and the succession of King Faysal II, then aged almost four years, and the Regency of the Amir were proclaimed.

King Ghazi was twenty-seven. He had reigned for nearly six years. Little interested in the formal functions of his office, and barely persuaded to fulfil them, his faults of heedlessness and frivolity, his impatience of protocol and of advice, had been embarrassing to his successive Governments, and at times discourteous to his subjects. But at his best he lacked neither intelligence nor charm. He was a good sportsman, a brilliant high-speed motor driver, and popular with the young Army officers who were his chosen and natural associates. He was beloved, at a distance, by many of his subjects for his youth, vitality, and evident patriotism. The little Faysal II, attended always by an English nurse and later an English governness, was known to be an intelligent and attractive child. The new Regent, brother of Queen 'Aliya and uncle of the King, was now aged twenty-seven. He had been educated at Victoria College, Alexandria, and although hitherto unversed in public affairs was considered serious and intelligent, and likely to turn his personal charm and excellent social gifts to good account.

The King's funeral at the Royal Mausoleum was attended by many Arab visitors from abroad and by tens of thousands of his

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own subjects. It evoked extraordinary emotion. The fantastic story that his death had been 'arranged' by the British Secret Service was propagated by the German wireless, and perhaps also by Dr. Grobba. It was believed by the more feeble-minded part of the hysterical city mob, and was responsible for a shameful and brutal attack, immediately following a memorial service to King Ghazi, on the British Consul at Mosul, Mr. G. E. A. C. Monck-Mason. Surrounded by a rabble of excited demonstrators, he was stoned and then struck fatally on the head, on the veranda of his own Consulate. The Prime Minister, deeply afflicted by this outrage, offered apologies to the British Ambassador and ordered compensation to be paid to the Consul's widow. His funeral at Mosul was public and impressive; 'Iraqi officialdom and the Army were well represented. Severe sentences were passed on a small number of the participants in the attack, in which as usual students had been prominent; the murderer himself was not discovered.

### 3. FIRST MONTHS OF WAR

The five months preceding the outbreak of the Second World War were a period of outward tranquillity in 'Iraq. The King's funeral visitors returned home, the Regent settled to his task. The Sa'idi Ministry, resigning office on 4 April in accordance with the Constitution, was reinstated by Royal Irada two days later, without change of personnel. The Minister of Interior, Naji Shawkat, whose tepid support on the conspiracy case and on others had created a breach between him and the Premier, resigned late in April. Nuri Pasha himself took the portfolio of Interior, and brought 'Ali Jawdat to Foreign Affairs. The elections were completed in May, though martial law was still in force until August in Mosul and Baghdad. Parliament was opened by the Regent on 12 June. His Speech from the Throne appealed to all for tranquillity and restraint. Chosen by the habitual procedures, the Chamber included a large majority of Nuri Pasha's supporters and, contrary to all precedent, was destined for a life of four years. Nevertheless, the shadow of the Army still lay heavily over 'Iraqi politics, and the Chamber itself contained deputies enough willing to renew all the old animosities. Among them were followers of the German lead which was still ceaselessly offered, convinced Anglophobes still resentful of the 1930 Treaty and its alleged limitations on 'Iraqi freedom, thwarted members of the intelligentsia, and pan-Arabs bitter at the Palestine White Paper which 'Iraq, at this stage, rejected. The cause of the Palestinian Arabs was not visibly advanced by the journeys of the Prime Minister to 'Amman, Beirut, and Cairo in August, ever seeking a formula

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721 lately back in Baghdad triumphant—left hurriedly for Syria, pre-
648x ceded by such of their aircraft as could fly. The Regent Sharaf accompanied ministers to Persia. Yunis Sab'awi, Minister of Economics, appointed himself Military Governor of the capital, and exhorted the demoralized public to organize a final resistance; but his power, if any, lasted barely a day. He fled; and the Generals were not far behind, abandoning their posts and duties as their ill-judged and mischievous adventure ended in fiasco. The steadfast Mayor, Arshad al-'Umari, alone remained to preserve what order he could, to direct dissolution of the armed gangs of the Youth Movement, and on 30 May to form a Committee of Internal Security with the strong support of law-abiding opinion. On the evening of that day, sponsored by Knabenshue, he appeared at the British Embassy. Cornwallis at his instance sent a wireless message to the G.O.C. at Habbaniya to receive, if he would, a flag
728 of truce that night. Terms of armistice—not of peace, since war
648x had never been declared—were without difficulty arranged between the Ambassador and the Security Committee. They provided for a cease-fire, the continued independence of the country and retention of its Army intact, release of prisoners, arrest of enemy (German or Italian) forces, and the opening of all communications in 'Iraq in accordance with the Treaty: conditions which showed both magnanimity and good sense. A detachment of British troops entered Baghdad on the following day, and British residents in Baghdad, Mosul, and Kirkuk could emerge from a month-long captivity which, not without its humours, had been galling, humiliating, and anxious, to find many of their houses looted. The attitude of the Baghdad crowds was sullen and bitter; the effects of dashed expectations and the aftermath of long-drawn Axis propaganda were slow to disappear.

727 The Regent had passed three weeks in Palestine and Jordan. He
579 returned to 'Iraq on 22 May escorted by his faithful ministers and by a British representative, Colonel G. de Gaury, and broadcast once more to his people. The Guard of Honour which welcomed him to Habbaniya was composed of 'Iraqi troops and officers who had surrendered to the British at Sinn al-Dhibban while fighting for his enemies and supplanters, and who now without effort changed sides again. The Amir entered Baghdad on 1 June, welcomed by the British Ambassador and by crowds of his own well-wishers. But the sinister possibilities of the hour, and the urgent need to install a Government, were overlooked in the glow of acclamation and victory; the night of 1 June and part of 2 June were disgraced by serious bloodshed and looting in quarters of Baghdad, with violent hooliganism directed against the Jews. The outbreak had in large part been organized by the fugitive military

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officers on the scale, they hoped, of a counter-revolution; it represented partly also reprisals by the Youth Movement, of whom many were caught red-handed, and partly the brutality and avarice of the lowest mob elements. The Committee of Internal Security was caught unawares, the Police proved unreliable and impotent, and order was restored only by troops brought in from outside. At noon on 2 June Jamil al-Madfa'i assumed with reluctance the task of forming a Ministry, and set himself to the restoration of normal tranquillity. A reliable Mutaṣarrif assumed charge at Baṣra.

The movement thus overcome will long bear, in obloquy or praise, the name of Rashid 'Ali. His part in it was in fact both unsought and limited. Willing himself to keep in good outward relations with Britain, at least until her defeat was certain, and never as rabidly xenophobe as many another, he was forced first to specific disagreement and then to actual hostilities with the ex-Mandatary by the pressure of his military backers, whom in spite of all precedent he had hoped to control, and by the impatience of his own closest followers. Unmoved by any principle of loyalty to treaties, basically unfriendly to Great Britain, and impetuous and self-confident by nature, he had yet never committed himself to Germany, as had the Generals and Naji Shawkat; he had hoped always to achieve a subtle neutrality and to gain, if possible, for his country from both sides. Rashid 'Ali's acts in his last premiership represent no settled conviction or resolute policy; he drifted or was forced from step to step. Whoever, indeed, had assumed the premiership on 1 April, in conditions which made the Army leaders all-powerful, must either have played a part not unlike Gaylani's, or soon made way for another to do so. There were other policies, other convictions in the 'Iraq of the moment—but no other power than the Army.

If timing had been concerted with the Germans, and their help punctual, the movement, however achieved, could scarcely have failed. A few hundred German troops, a few score of aircraft, could have occupied 'Iraq and vitalized its Army, could have dominated Persia and its oil, closed the southern doors to Russia, and threatened the Levant from the east. That such was not the outcome followed from three factors: the feeble irresolution of the 'Iraq Army at Habbaniya and thereafter; the failure of the Axis to provide timely help, thanks to the British resistance in Crete and to Hitler's plans for the invasion of Russia; and the rapidity and successful bluff of the light British forces. The British intervention, still today condemned by 'Iraqi irreconcilables as unjustifiable 'interference', in fact saved the country first from military dictatorship, then from certain German occupation, and finally from identification with the losing side in the War.

1: Longrigg G-4, 5 (ca. 1915-1940) MH1 Iraq MH1



alone, were for abandoning Palestine altogether. The formation of an Assyrian Brigade, initiated by the Regent and actively in hand late in 1948, was frustrated by the jealousies and fears of Arab nationalists. The policy of the Pachachi Cabinet was to keep troops in Palestine, to reject (but conform to) the second truce, to refuse all negotiations with Israel, and to blame the British Government for ceasing to supply arms. They spurned the Bernadotte proposals for partition and peace, recognized the Mufti's Government while standing solid with King 'Abdullah who scornfully rejected it—and waited month after month for they knew not what.

If fair security was maintained at home during these months it was by reason of the continuation of martial law. Within this régime, of which the termination was viewed with alarm, the disturbing hostilities between civil and military authorities continued, and it became necessary to restrict the military courts, each one a battle-ground between the forces of the Mutaṣarrif and the local general, first to a limited class of case—those concerned with Palestine and with Communism—and then to a single tribunal in Baghdad. Communism played its part in every strike and street demonstration, and had friends in the public services and in the Army; the severities of 1947 had left vigorous life in its underground organization, which further arrests late in 1948 and the seizure of an illegal press still left formidable. The effective alliance between Kurdish nationalism and Russo-Kurdish Communism, which helped to transfer the leadership of Kurdish separatism from the Aghās to the intelligentsia, led during 1948 to endless disorders in the streets and schools of Sulaymaniya with an uneasy succession of arrests, releases, and rearrests. The infiltration of propaganda from Persian and Russian soil continued, and the newspaper *Azadi* still circulated. Elsewhere in 'Iraq the tribes were quiet.

Town security improved in spite of minor election rioting, with student and sometimes hooligan demonstrations on any pretext repeated *ad nauseam*. An increase of hostile pressure on the Baghdad Jews, in spite of their centuries of 'Iraqi citizenship and their anti-Zionism, was in these conditions psychologically inevitable; in the autumn of 1949 arrests of Jews included that of a whole assembly in the 'Amara synagogue, and protests from Israel at these and at alleged detentions in concentration camps reached the United Nations. The connexion between Zionism and Communism was taken for granted by popular outcry; Jew and Zionist were identified; and the sight of the terrified community, declared to be selling 'Iraqi military secrets to Palestine, aroused in some the worst instincts of spite and bullying. But more intelligent and more chivalrous attitudes were not lacking, and a number of

1: Longrigg G-4, 5 (ca. 1915-1940) MH1 Iraq MH1



Mutaṣarrifs protested to the Minister of Interior at the military reign of terror in their liwās and forced the resignation of the Minister of Defence, Ṣādiq Baṣṣam. The arrest of the Chief Rabbi and the conviction and hanging of a rich Jewish merchant, Shafiq Adis—but not of his Muslim associates—was disapproved by much of the public. The press was allowed full freedom to attack the British as having created all the troubles of Palestine as well as of 'Iraq: to call the oil companies truculently to account: and to assail with rage the well-reasoned pamphlet which Nuri Sa'id issued, on his return home at midsummer, in justification of the Portsmouth Treaty.

The reinstatement of the Treaty supporters was, indeed, a feature of these months; Ṣaliḥ Jabr was welcomed back to Baghdad in July, Nuri could re-enter politics in the same summer, Shakir al-Wadi succeeded Baṣṣam as Minister of Defence in October, Jamali was sent as Minister to Cairo, and all were once again candidates for high office by the end of the year. Party activity was limited by the abnormal conditions, and the National Democrat and the Liberal Parties, both handicapped by shortage of funds, complained of undue restriction and ceased active operation in December. The Independence Party remained vigorous. A series of Cabinet changes was made in October, after months in which portfolios passed from hand to hand among acting ministers. Shakir al-Wadi came to Defence, 'Umar Nadhmi to Interior, and 'Ali Jawdat from Washington to Foreign Affairs. Muḥammad al-Sayhud, Amir al-Rabi'a, rejoined the Cabinet as minister without portfolio, and Muṣṭafā al-'Umari, who while under medical treatment in London gave up his post at Interior but remained in the Cabinet, resigned a month later. 'Ali Mumtaz, resigning from Finance in November, was replaced after an interval by the experienced Director-General of Customs, Khalil Isma'il, and 'Abd al-Wahhab Mirjan on becoming President of the Chamber was succeeded at Economics by 'Ali Ḥaydar Sulayman, the Minister of Social Affairs. Najib al-Rawi, Minister of Education and 'Iraqi representative at Lake Success, returned home. The Speech from the Throne on 1 December, when Parliament met, was politically colourless.

The Pachachi Ministry, clearly unable to master its manifold problems, survived the last weeks of 1948 only by the support of the Portsmouth Treaty-makers, Nuri Sa'id and Ṣaliḥ Jabr. Muzaḥim's favour of Egypt as the strongest Arab Power and his favourable response to interventionist demonstrations on 30 and 31 December clashed with Army views—indeed, with those of every realist—and created an impasse from which a change of Government was the only outlet. He resigned office on 6 January 1949.

2: Dowson G-5 (1929-30) 1932 MHl Iraq MHl



assignable tenure, in accordance with the provisions of Book I of the Land Code and connected legislation. This tenure can only exist in virtue of an express grant from the State. To be valid such a grant must be registered in the Land Registry and be vouched for by a certificate of such registration (tapu sanad). A prescriptive right to a grant of State land in tapu tenure (known as haq el qarar) is recognised by the Ottoman Code, although the exact meaning of certain important conditions of such recognition is still debated. 423

Under the regular operation of the Land Code all State land held and used by the public should be acquired and possessed in tapu tenure. The rights and obligations of this tenure are for the most part admirable. But, as already emphasised, its operation depends upon (i) a systematic initial granting of State land under this form of tenure to those judged best entitled to it, and (ii) the construction and subsequent maintenance to date of an exact and reliable Land Register of the rights conferred or derived thereunder. No systematic initial grant of tapu tenure was made or indeed can have been practicable when the Code was introduced. Consequently tapu tenure remained an occasional and imperfectly realised privilege of the few, instead of the regular tenure of State land it was intended to be. In many cases grants in tapu tenure were no doubt made to those best entitled to enjoy its rights and best able to discharge its obligations. But as a rule grants were made without any satisfactory investigation of conflicting claims. And in nearly all cases the definition of the land, which was purported to be affected, was incredibly ambiguous and vague.

Under these circumstances it would have been impossible to construct and maintain an intelligible and reliable Register of tapu tenure, even if the methods of doing so had been better understood. Actually a study of the working of the Ottoman Land Registries both in el 'Iraq and elsewhere demonstrates that this knowledge was lacking. Indeed the wider experience of the world shows that the construction and maintenance of a reliable Land Register has presented serious difficulties even to the best organised and equipped administrations.

The Ottoman Government had recognised before the war their failure to apply tapu tenure throughout their territories, as well as the basic causes of that failure. And they had enacted legislation empowering a systematic re-investigation and settlement of rights to land to be made vilayet by vilayet. It was intended that this settlement of rights should be based on a cadastral survey and be accompanied by a comprehensive valuation of the land and the establishment of an entirely new Land Register.*

4. The granting of tapu tenure in so many cases throughout el 'Iraq, without proper investigation and settlement either (i) of the rights of those already attached to the soil or (ii) of the boundaries of the parcels which were purported to be affected, sowed a crop of conflicting claims throughout the country, which bore the seed of perpetual discontent and hardship, and in some districts periodically produced violent outbursts of lawlessness. The registered tapu holder (mutassarif), who possibly had family or economic ties with the land, who probably had conformed with the formalities prescribed by a Land Registry Official, and who no doubt acquired his uncertain rights for valuable or other consideration, claimed the position of landowner (mallak).† As such he demanded the landowner's share (mallakiya) in the produce, and asserted his right to mortgage the land and to bring in new cultivators if he wished. [579] [427]

* Ottoman Provisional Law of Survey and Registration of Immovable Property, 1 Rabi Awal, 1331.

† *Mallak* should properly be restricted to *mulk* property. A tapu holder is not an owner, but a *mutassarif* or the holder of registered usufructuary possession (*tasarruf*).

423 579 But occupying cultivators in the South, while recognising tribal allegiance and the State's legal ownership (raqaba) of the land, commonly regarded their tribal group as possessors of the soil by immemorial right, whatever the period of its occupancy of the land might in fact be. They frequently resented any demand for mallakiya, and indeed any claims to overlordship other than those of the State. It should not be assumed that in such disputes one side was invariably unjustly acquisitive or the other side obstinately recalcitrant. Each party doubtless thought that substantial justice lay on its side. Circumstances alter cases and it is neither possible nor useful to generalise on the point. It is the removal of the injury caused by these longstanding differences, alike to agricultural prosperity and to public peace, that is the objective, not the justification or satisfaction of particular disputants. As is well known this need was so strongly impressed on Government by recurring violence along the Hai and in the Muntafiq, occasioned by the perennial disputes arising out of the differences mentioned, that a law regulating the investigation and settlement of the conflicting claims in these areas was enacted two years ago and is now in course of application.*

621 622 423 178 In the northern rainfall zone the people generally lived in regular villages, under the shadow of a local *agha* or other notable, and cultivated the soil and pastured their flocks round about. As there was ordinarily more land than men to till it, land was brought under cultivation as required and successive generations commonly tilled the same groups of parcels, alternating fallow with sown. When necessary, the local leader became the intermediary between the people and any central Government that could make itself felt. Thus he compounded for the village tithe ('ushr) and collected appropriate contributions from the cultivators. He settled land disputes in village conclave or otherwise, and his jurisdiction to do so was of no material importance so long as these mediæval conditions prevailed. As civilisation developed, towns became more attractive and communications improved, such local leadership sometimes tended to become absentee landlordship; while with the introduction of tapu tenure many village areas appear to have been wholly or partially registered as the personal possessions of local notables, without any consideration of the immemorial rights of those who had regularly occupied and tilled the land or pastured their flocks thereon. The pinch in these cases seems to have been mainly felt when the lands were pledged, and forfeited, to town-dwelling merchants for debt. The personal touch and interdependence that existed between even the most arbitrary local chieftain and the village cultivators appears not infrequently then to have been replaced by more mechanical efforts to exploit the land from outside and by obstruction to such efforts from within.

423 These generalised instances are only intended to serve as illustrations of the evil effects of granting tapu tenure in the past without a thorough study and due safeguard of previously existing rights. No comprehensive or detailed study of these cases is possible here.

5. When the maps from which Plates I and II were prepared were in process of compilation the Tapu Department did its best to show the location and extent of all land held under tapu tenure. Partly owing to the destruction of records by the retreating Turks, but much more owing to the inherent defects of their Land Registry methods, it was not found possible generally to do more than indicate approximately the outside limits of patches of territory thought to be affected. The maximum limits of these groups of territory will be seen, on reference to Table I, to cover about 40,000 square kilometres. It is impossible to say what proportion of the areas included would prove upon due investigation to be reasonably entitled to be held in tapu tenure.

*Law for the settlement of disputes of Muntafiq Lands. No. 29 of April 4, 1928.

25: Warriner S-5 no date 1948 MI Middle East
Iraq MH1



the right of ownership. But owing to the practice of shifting cultivation, few of the cultivators of land in Iraq could prove ten years occupancy. The result was that land was registered as the property of tribal sheikhs, town notables, and Kurdish *aghas* over the heads of the peasants. The title deeds granted were always inaccurate, with the areas and boundaries indefinite.

The grants of *tapu* tenure led to conflict and even actual fighting between sheikhs and tribesmen, and to such confusion that general registration could not be completed. The Ottoman Government, which did not want to strengthen the power of the sheikhs, therefore stopped the process of registration when about one-fifth of the land had been registered and ceased to apply the provisions of the Land Code in the southern part of Iraq. Two decrees issued in 1880 and 1892 declared that the State was to become the landlord and should have the power to evict tenants at will.

Thus in 1919 the greater part of the land of Iraq was in theory the property of the State. This does not mean, as it does in the other territories of the Middle East, that it is land which formerly belonged to the Ottoman crown estates; it is in reality land which is held on no legal tenure at all, and is considered to belong to the State because the occupying owners have no registered title.

Various unco-ordinated and spasmodic attempts to settle land title were made between 1919 and 1930, but they were largely abortive, and in 1931 Sir Ernest Dowson was requested by the Iraq Government to investigate the problem of settlement of title. In his report he summarizes the problem as follows:

> 'Probably four-fifths of the cultivable area of the country is in law fully and freely owned by the State and when cultivated held in practice under the general administrative control of its representatives. And even the legal ownership (raqaba) of the balance is vested in the State although, subject to important conditions, its usufructuary possession is held on a permanent heritable and assignable tenure. This tenure (known commonly as tapu) is that applicable under the provisions of the Land Code to all State land. The Ottoman Administration persistently sought to give effect to these provisions, but failed to do so because the successful

25: Warriner S-5 GD 1948 MI Middle East
Iraq MHI



ness of putting the fluid tribal system into a rigid mould, and a mould which gives the sheikhs undue power. When the tribes have completely disintegrated, it has been not unjust, as in some districts of the north and in Basra liwa. But in the purely tribal areas of Muntafiq, Amara, and Diwaniya liwas and the Kurd hill districts of Ruwandiz and Amadiya it has met with the same incompatibility which was the reason for the failure of the *tapu* system. In these districts the settlement commissioners have confirmed the legal title deeds, in Muntafiq and other areas over the heads of the actual occupants. In Amara, even sirkals and sub-tribal chiefs have no prescriptive rights to the land and have not been able to prove occupancy.

Hence the settlement law really needs drastic changes to enable satisfactory settlement of tribal areas, in particular to give title to tribal occupants of land, even if valid *tapu* titles are possessed by sheikhs.

*The Sheikh as Landowner.* This wholesale alienation of the land in large blocks to the sheikhs causes injustice to the cultivators and also creates great obstacles to future development. The sheikhs as a class are wealthy and important, since they control stocks of grain, and hoard the output of their estates: but they have no value in relation to the management of production. 'He is in fact too big a man to be a farmer and too indolent, corrupt and uneducated to make of himself anything else. As regards agricultural activity, the sheikh is completely unimportant; he takes little interest in seed or ground preparation, is more ignorant than his farmers about such matters and performs his large-scale water-sharing functions at the request and on the representations of his farmers and through his agents.'[1] Thus the bulk of the land has come into the hands of a class from whom no leadership in agricultural methods can be expected and which is tyrannous, callous, and oppressive.

In the areas where the tribal system still functions as a reality no land settlement has really been undertaken at all, that is, in Amara (mainly rice fields), in Diwaniya, where the risks are too great, and in the Muntafiq where there is an endless struggle between the Sadun family, who claim to be the principal

[1] From an unpublished report prepared for M.E.S.C. on 'Land tenure in Amara Liwa', 1944.

landowners, and the occupying peasants, which has from time to time led to outbreaks of violence.

In the Amara liwa for instance the sheikh has fairly complete power over his tribal sirkals and fellaheen. 'He switches his secondary lessees around at the yearly leasing time, throwing out any one he disapproves of, allotting the portions of land either by a form of auction or by direct agreement. The power of the sheikhs varies with the prosperity of the estates. The poor estates in the liwa, for instance, the Beni Lam estates, are short of labour and the sheikh is glad to get any comer on almost any terms. In such estates, the pump-owning secondary lessees (or sirkals) become the real masters of the land they cultivate, and the sheikh becomes a rent receiver. Other poorer estates in this district are becoming the property of the big rice merchants of the towns.'[1]

A report from the Muntafiq liwa describes similar conditions. The land is being ruined by bad farming, because year after year the same land is sown with a winter corn crop, and gets no rest either through fallow or through a rotation of crops. The government regulation that land must remain fallow in alternate years is disregarded. 'Perhaps the greatest racket in this area is the undue amount of the crop taken by pump owners,' says the report. This is due to the lack of any credit system: much forward selling of the crops takes place as soon as the green appears, at ruinous prices to the cultivator, sometimes in return for a loan amounting to about a quarter of the current grain price.[2]

In the densely settled regions of the south, such as Muntafiq, the position of the cultivator is particularly bad. He usually receives only a 30 to 50 per cent share of the produce. A typical apportionment of the crop is:

| | |
|---|---|
| Government .. .. .. .. .. | 10 per cent |
| Principal tenant (sheikh) .. .. .. | 7½ |
| Sirkal .. .. .. .. .. .. | 2½ |
| Landowner (either the sheikh or a notable) | 40 |
| Fellah .. .. .. .. .. | 40 |
| TOTAL .. .. .. .. .. | 100[3] |

[1] ibid.

[2] From an unpublished report prepared for M.E.S.C. on 'Land tenure in Muntafiq Liwa', 1944.

[3] A. Bonné, 'Conditions and Problems in the Agriculture of Iraq', *Bulletin of Agricultural Economics and Sociology* (International Institute of Agriculture, Rome), February 1934, p. 53–E.

25: Warriner S-5 (no date) 1948 MI Middle East
Iraq MH1



Discontent with the land

579 system often takes a very active form: clashes between officials and peasants in regard to the collection of revenue, for instance, are quite common, and there are long-drawn-out conflicts about land occupancy, as for instance in the Muntafiq district.

185 But although there is discontent, there is not much hope that the land-tenure system will be reformed with reference to standards of social equality or economic efficiency. Land tenure is mainly a controversial subject because it has been linked with British administration, and its abuses attributed to British mistakes. The difficulty has been that the British influence was only advisory, and that the Government did not control an administration efficient enough to carry out the recommendations of the expert advisers, nor could it take measures against the landowners.

Hence there is no agreement as to the object of reform. Some consider that the small cultivator ought to be given freehold tenure; others consider that settlement in larger units, with the sirkals as owners, is desirable.

The real problem is to propose a reform of tenure on lines which would reconcile the need for national planning with security for the small cultivators. From this standpoint the only proposals which have been made are those drawn up by an official of the Land Department, who has had long experience in this field.

These are:

1. Reform of the present system of *tapu* tenure (i.e., the freehold type) by making non-cultivation a cause for loss of title, as is at present the case for land held on *lazma* tenure.

2. Reform of the *miri sirf* category of land by dividing it into two categories:

(*a*) Those which Government intends to develop by canalization, for example, land covered by the Greater Iskandariya scheme, or by the scheme for development at Abu Ghuraib and on the Greater Musaiyib. Grants of title should not be made in these regions without decision of a special committee, and should be approved by the Council of Ministers. These regions should be reserved for grants of *tapu* land in plots of not more than 100 dunums, and no person should be allowed more than one